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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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KATTEN MUCHIN ROSENMAN LLP
575 MADISON AVENUE
NEW YORK, NY 10022-2585

EXAMINER

CHANG, EDITH M

ART UNIT PAPER NUMBER

2637

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/737,196

Applicant(s)

ODE ET AL.

Examiner

Edith M. Chang

Art Unit

2637

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 14 April 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 5 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☒ Newly proposed or amended claim(s) 3-13, 21-24 and 32-37 would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: 32-33, 37.
Claim(s) objected to: 3-13, 21-24, 34-36.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
13. ☐ Other: _____.

Continuation of 3. NOTE: Claim Objections

1. Claims 3, 5-13, 21-24 and 34-36 are objected to because of the following informalities:

CLAIM 3, line 3: "a transmit signal" should be "a transmit signal $x(t)$ ";

line 5: "a transmit signal" should be "the transmit signal", "the transmit signal" should be "the transmit signal $x(t)$ ";

line 6: "this distortion compensation coefficient" should be "the distortion compensation coefficient $h_n(p)$ ";

line 10: "signal before" should be "signal $x(t)$ before";

line 12: "compensation coefficient" should be "compensation coefficient $h_n(p)$ ";

lines 15-16: "the transmit signal, which is output from said predistortion unit by the distortion compensation processing that uses the distortion" should be "the transmit signal $x(t)$ compensated with the calculated distortion";

lines 17 & 20: "the distortion" should be "the calculated distortion";

lines 21 & 25: "transmit signal" should be "transmit signal $x(t)$ ";

line 24: "coefficient by storing" should be "coefficient $h_n(p)$ by storing".

CLAIM 5, line 2: "transmit signal" should be "transmit signal $x(t)$ ";

line 5: "the distortion" should be "the calculated distortion", " $h_{n+1}(p)$ to $h_{n+1}(p)/m$ " should be " $h_{n+1}(p)$ divided by m ".

CLAIM 6, line 2: "coefficient by storing" should be "coefficient $h_n(p)$ by storing";

line 4: "transmit signal" should be "transmit signal $x(t)$ ", "power" should be "power P_{max} ";

line 5: "transmit signal" should be "transmit signal $x(t)$ ";

line 6: "power" should be "power P_{max} ".

CLAIM 7, line 2: "the distortion compensation coefficient" should be "the calculated distortion compensation coefficient $h_{n+1}(p)$ ";

line 8: "where $h_{n+1}(p)$ " should be "where $D h_{n+1}(p)$ ".

CLAIM 8, line 6: "to distortion" should be "to the distortion";

lines 9 & 13: "coefficient" should be "coefficient $h_{n+1}(p)$ ";

line 12: "coefficient" should be "coefficient $h_n(p)$ ", "the distortion" should be "the calculated distortion";

line 16: "signal $x(t)$ " should be "signal";

line 17: " $|h_{n+1}(p)|^{n+1}/2$ of the distortion" should be " $|h_{n+1}(p)|^2$ of the calculated distortion";

line 18: "the distortion" should be "the calculated distortion";

lines 21 & 25: "coefficient;" should be "coefficient $h(p)_{max}$ ";

line 22: "correcting a distortion" should be "correcting the calculated distortion";

line 23: "coefficient" should be "coefficient $h_{n+1}(p)$ ", "the distortion" should be "the calculated distortion";

line 24: "coefficient" should be "coefficient $h_{n+1}(p)$ ";

line 26: "the distortion compensation coefficient" should be "the calculated distortion compensation coefficient $h_{n+1}(p)$ ";

line 27: "coefficient, said distortion" should be "coefficient $h(p)_{max}$, said calculated distortion";

lines 28 & 32: "coefficient" should be "coefficient $h_n(p)$ ";

line 29: "coefficient, and" should be "coefficient $h_{n+1}(p)$ ";

line 30: "distortion compensation coefficient" should be "calculated distortion compensation coefficient $h_{n+1}(p)$ ";

line 31: "coefficient, said" should be "coefficient $h(p)_{max}$, said".

CLAIM 9, line 6: "signal $x(t)$ " should be "signal".

CLAIM 10, line 3: "of maximum" should be "of the maximum";

line 4: "signal $x(t)$ " should be "signal".

CLAIM 11, line 2: "signal output from the predistortion unit" should be "signal compensated";

line 4: "coefficient $h_{n+1}(p)$ and" should be "coefficient $h_{n+1}(p)$ and";

line 6: "distortion" should be "calculated distortion";

lines 6-7: "to the distortion compensation $h_{n+1}(p)/m$ " should be "divided by m ".

CLAIM 12, line 3: "coefficient by storing" should be "coefficient $h_n(p)$ by storing";

line 4: "a distortion compensation coefficient" should be "the calculated distortion compensation coefficient $h_{n+1}(p)$ ";

line 5: "coefficient and storing" should be "coefficient and storing $h(p)_{max}$ ";

line 6: "by the distortion" should be "by the calculated distortion";

line 7: " $h_{n+1}(p)/m$ " should be " $h_{n+1}(p)$ divided by m ", "square of the distortion" should be "square of the calculated distortion";

line 8: "coefficient is greater" should be "coefficient $h_{n+1}(p)$ is greater";

line 9: "coefficient." should be "coefficient $h(p)_{max}$ ".

CLAIM 13, line 2: "corrects a distortion" should be "corrects the calculated distortion";

line 3: "coefficient by" should be "coefficient $h_{n+1}(p)$ by".

CLAIM 21, line 4: "coefficient that" should be "coefficient $h(p)$ that", "of a transmit" should be "of the transmit";

line 6: "coefficient and" should be "coefficient $h(p)$ and";

line 9: "analog signal" should be "analog error signal";

line 12: "the distortion" should be "a distortion";

line 13: "coefficient based upon" should be "coefficient $h_{n+1}(p)$ based upon";

line 16: "coefficient in said" should be "coefficient $h_{n+1}(p)$ in said";

line 18: "of a distortion" should be "of the calculated distortion";
 line 20: "coefficient before the distortion" should be "coefficient $h(p)_{\max}$ before the calculated distortion";
 lines 23 & 24: "the distortion" should be "the calculated distortion";
 line 26: "coefficient;" should be "coefficient $h(p)_{\max}$ ";
 line 28: "coefficient by storing" should be "coefficient $h(p)$ by storing";
 line 29: "of the distortion" should be "of the calculated distortion";
 line 31: "and storing" should be " $h(p)_{\max}$ and storing", "coefficient in said" should be "coefficient $h_{n+1}(p)$ in said";
 line 32: "of the distortion" should be "of the calculated distortion";
 line 33: "coefficient." should be "coefficient $h(p)_{\max}$."

CLAIM 22, line 2: "of the distortion" should be "of the calculated distortion";
 line 3: "coefficient, is" should be "coefficient $h(p)_{\max}$, is";
 line 5: " $|h_{n+1}(p)|$ by correcting the" should be " $h_{n+1}(p)$ by correcting the calculated";
 line 6: " $h_{n+1}(p)/m$ " should be " $h_{n+1}(p)$ divided by m ".

CLAIM 23, lines 7-8: "transmit signal $x(t)$," should be "transmit signal";
 line 13: "where by a" should be "where by a second";
 line 14: "frequency-multiplexed" should be "second frequency-multiplexed", "signal $x(t)$ " should be "signal".

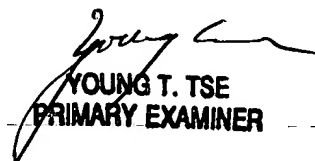
CLAIM 24, line 4: "frequency-shifted" should be "the frequency-shifted";
 line 7: "frequency-multiplexed" should be "multiplexed frequency-shifted";
 lines 8-9 & 14: "transmit signal $x(t)$ " should be "transmit signal".

CLAIM 34, line 6: "former" should be "power of the distorted transmit signal", "latter" should be "obtained power".

CLAIM 35, line 5: "latter" should be "power of the distorted transmit signal";
 line 6: "former" should be "power of the transmit signal";
 lines 7 & 11: "halt updating" should be "halt the updating";
 line 8: "the former and the latter" should be "two powers";
 line 10: "amplitude control by controlling" should be "controlling".

CLAIM 36, line 6: "former" should be "power of the distorted transmit signal", "latter" should be "obtained power";
 line 7: "the former and the latter" should be "two powers";
 line 10: "amplitude control by controlling" should be "controlling";
 line 11: "in calculation" should be "in the calculation".

Appropriate correction is required.


 YOUNG T. TSE
 PRIMARY EXAMINER